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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kazunori YAMAZAKI et al.
Title: COSMETIC COMPOSITION
Appl. No.: 10/577,036
International Filing Date: 11/11/2004
371(c) Date: 04/24/06
Examiner: Nannette HOLLOMAN
Art Unit: 1612
Conf. No.: 9627

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam/Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicants in order to comply with the Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(c), before the mailing date of any of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding European application. A copy of the Supplementary European Search Report is attached as Document C2 setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of foreign-language document C3 is not available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 C.F.R. § 1.98 and MPEP § 609).

The Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

STATEMENT

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 C.F.R. § 1.704(d) that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the information disclosure statement.

Although the Applicants believe that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

Date Feb. 12, 2010

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